

SENATE BILL 2097  
By Rochelle

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 10 and Section 67-9-102(b)(3), relative to a statewide public infrastructure needs inventory.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 10, is amended by adding the following as a new section:

Section \_\_\_\_\_. (a) In order for the commission to fulfill its obligations to study and report on the existing, necessary and desirable allocation of state and local fiscal resources, the powers and functions of local governments, and relationship between the state and local governments, and its duties to engage in activities for the accomplishment of these various studies and reports, the commission shall annually compile and maintain an inventory of needed infrastructure within this state. The information and data gathered by such an annual inventory is deemed necessary in order for the state, municipal, and county governments of Tennessee to develop goals, strategies and programs which would improve the quality of life of its citizens, support livable communities, and enhance and encourage the overall economic development of the state through the provision of adequate and essential public infrastructure. All funds necessary and required for this inventory shall be administered through the commission's annual budget and such funds shall be in addition to the commission's annual operational budget amounts. The inventory shall include, at a minimum, needed public infrastructure facilities which would enhance and encourage economic development, improve the quality of life of the citizens, and support livable communities

within each municipality, utility district, county and development district region of the state and shall include needs for transportation, water and wastewater, industrial sites, municipal solid waste, recreation, low and moderate income housing, telecommunications, other infrastructure needs such as public buildings (including city halls, courthouses, and K-12 educational facilities), and other public facilities needs as deemed necessary by the commission. The data shall be compiled on a county-by-county basis within each development district area. In order to accomplish this inventory, the commission shall annually contract for the services of the state's nine (9) development districts and shall compensate each of the development districts at a rate of five cents (\$.05) per capita or fifty thousand dollars (\$50,000), whichever is greater. The per capita amount shall be based upon the population counts within each development district as determined from the latest county population estimates reported by the United States Department of Commerce, U.S. Bureau of the Census or its federal functional equivalent. From funds allocated to the commission for the purpose of conducting this annual inventory, the commission shall retain for its necessary administration and coordination costs for this annual inventory one and one-half cents (\$.015) per capita based upon the state total population as determined by the latest county population estimates reported by the United States Department of Commerce, U.S. Bureau of the Census or its federal functional equivalent.

(b) In compiling the public infrastructure needs inventory on a county-by-county basis, at a minimum, the commission shall consult with each county executive, mayor, local planning commission, utility district, county road superintendent, and other appropriate local and state officials concerning planned and/or anticipated public infrastructure needs over the next five (5) year period, together with estimated costs and time of need within that time frame.

(c) The public infrastructure needs inventory shall not include projects considered to be normal or routine maintenance. Moreover, infrastructure needs

projects included in the inventory should involve a capital cost of not less than fifty thousand dollars (\$50,000). The infrastructure needs inventory shall not duplicate the extensive needs data currently maintained by various state agencies on state facilities which are presently available to the commission. Provided, however, this limitation does not prohibit one (1) or more counties or municipalities from identifying a need for a vocational educational facility or a community college or a new public health building in a particular local area. In addition, the commission may request various state agencies to supply various needs data that may be available in such areas as highway or rail bridges, airports or other areas.

(d) The annual public infrastructure needs inventory by each development district shall be conducted utilizing standard statewide procedures and summary format as determined by the commission to facilitate ease and accuracy in summarizing statewide needs and costs.

(e) The public infrastructure needs inventory shall be completed by the development districts and submitted to the commission no later than June 30 of each year.

(f) The annual inventory of statewide public infrastructure needs and costs for provision of adequate and essential public infrastructure shall be presented by the commission to the Tennessee General Assembly at its next regular annual session following completion of the inventory each year.

SECTION 2. Tennessee Code Annotated, Section 4-10-107, is amended by adding the following as a new subdivision (d):

(d) In addition to any funds appropriated by the general assembly to the commission, the commission is authorized to receive annual allocations of funds from the Tennessee State Revenue Sharing Act, Tennessee Code Annotated, Section 67-9-102(b)(3), for the purpose of conducting an annual public infrastructure needs inventory to aid in the provision of adequate and essential public infrastructure statewide for the

improvement of the quality of life of Tennessee citizens, the support of livable communities, and the enhancement and encouragement of the overall economic development of the state.

SECTION 3. Tennessee Code Annotated, Section 67-9-102(b)(3), is amended by adding the following before the last sentence of this part:

If, in any fiscal year, there are funds remaining after the allocation of such funds to the University of Tennessee, then any remaining funds in any fiscal year, not to exceed ten percent (10%) of the total of such impact funds, shall be allocated by the Comptroller of the Treasury to the Tennessee Advisory Commission on Intergovernmental Relations. After the Comptroller of the Treasury determines said allocation, the Comptroller of the Treasury shall direct the commissioner of Finance and Administration to make payments of the allocation to the Tennessee Advisory Commission on Intergovernmental Relations. The Tennessee Advisory Commission on Intergovernmental Relations shall utilize such funds for an annual inventory of statewide public infrastructure needs. Such an inventory is deemed necessary in order for the state, municipal, and county governments of Tennessee to develop goals, strategies and programs which would improve the quality of life of its citizens, support livable communities, and enhance and encourage the overall economic development of the state through the provision of adequate and essential public infrastructure.

SECTION 4. This act shall take effect July 1, 1996, the public welfare requiring it.